



**California Regional Water Quality Control Board**  
**North Coast Region**  
**Beverly Wasson, Chairperson**



Alan C. Lloyd, Ph.D.  
Agency Secretary

[www.waterboards.ca.gov/northcoast](http://www.waterboards.ca.gov/northcoast)  
5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403  
Phone: (877) 721-9203 (toll free) • Office: (707) 576-2220 • FAX: (707) 523-0135

Arnold  
Schwarzenegger  
Governor

January 31, 2006

Ms. Cindy Anderson  
CDOT - Redding  
1657 Riverside Drive  
Redding, CA 96001

Dear Ms. Anderson:

Subject: Issuance of Clean Water Act Section 401 Certification (Water Quality Certification) for the Lost River Bridge Project

File: CDOT – Hwy 161, Lost River Bridge Replacement  
WDID No. 1A05144WNSI

This Order by the California Regional Water Quality Control Board, North Coast Region (Regional Water Board), is being issued pursuant to Section 401 of the Clean Water Act (33 USC 1341), in response to your request, on behalf of the California Department of Transportation (applicant), for Water Quality Certification to replace the Highway 161 bridge over the Lost River in Siskiyou County. On October 31, 2005, the Regional Water Board received your application and a \$1704 processing fee. We received additional information on December 28, 2005 that shows the area of impact from the project will be larger than the area used to calculate the initial fee. On January 9, 2005, we deemed the application complete and posted information describing the project on the Regional Water Board's website for a 21-day public review and comment period. We did not receive any comments on this project. On January 13, 2006, we received an additional \$606.30 that covers the remaining balance of the application fee.

Project Description: The Lost River Bridge is located on the California and Oregon border where State Route 161 crosses the Lost River, approximately 0.3 miles west of the town of Hatfield. The existing 241.5 foot long and 30 foot wide bridge will be replaced with a 261 foot long and 42.3 foot wide reinforced steel bridge. The highway approaches will be widened to match the new bridge alignment and existing drainage ditches along the highway will be reconstructed to accommodate the new alignment.

A clean gravel pad will be installed within the active stream channel to create a temporary surface for heavy equipment to work during removal of the old bridge and construction of the new

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bridge. The gravel pad will extend from approximately 100 feet upstream of the bridge to approximately 100 feet downstream of the bridge and will span the entire width of the channel. Culverts will be placed within the gravel pad to divert the stream flow through the work area. The temporary culverts will be designed to provide fish passage for the Lost River sucker and shortnose sucker, endangered fish species that may be present in the project area. Spawning adult suckers begin their upstream migration out of Tule Lake as early as February each year.

Geotextile material will be placed under the gravel to protect the wetlands and river bottom and to allow for thorough removal of the gravel fill. Rock slope protection around the abutments of the existing bridge will be removed and replaced around the new abutments. The existing piers will be removed completely or will be cut off at least 3 feet below the bottom of the stream channel.

Cofferdams will be installed in the stream channel for construction of the new bridge piers. Dewatering the cofferdams will be necessary. The applicant is proposing to pump water from within the cofferdams into a 20,000-gallon tank to remove sediment prior to returning the water to the Lost River below the work area. Some water may be pumped into trucks and used onsite for dust control. Sediment removed from the tank will be incorporated into the roadway.

A 0.01-acre wetland area located at the end of a culvert on the southeast side of the bridge will be filled during the widening and realignment of the highway approach. Compensatory mitigation is required for the permanent loss of wetland. A 0.01-acre area of similar wetland will be created onsite in an area adjacent to the existing wetland.

Receiving Waters:	Lost River in the Tule Lake Hydrologic Subarea No. 105.92
Filled or Excavated Area:	Area Temporarily Impacted: 0.50 acre of stream channel and 0.33 acre of wetland Area Permanently Impacted: 0.002 acre of stream channel and 0.01 acre of wetland
Total Linear Impacts:	Length temporarily impacted: 230 feet of stream channel Length permanently impacted: 60 feet of stream bank
Federal Permit:	U.S. Army Corps of Engineers Nationwide Permit Nos. 23 and 33

- Compensatory Mitigation: Compensatory mitigation is required for this project. The applicant shall create at least 0.01 acre of onsite wetland in an area adjacent to the wetland that will be filled.
- Noncompensatory Mitigation: Noncompensatory mitigation for this project includes the use of Best Management Practices for cofferdam dewatering, waste handling, sediment and turbidity control, and heavy equipment use and concrete use near a waterway. The applicant has applied for a Lake or Streambed Alteration Agreement (1600 Permit) from the California Department of Fish and Game.
- CEQA Compliance: The California Department of Transportation, as the lead agency for CEQA, determined that this project will have no significant effect on the environment and is categorically exempt from CEQA.
- Standard Conditions: Pursuant to Title 23, California Code of Regulations, Section 3860 (23 CCR 3860), the following three standard conditions shall apply to this project:
- 1) This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Section 13330 of the California Water Code and 23 CCR 3867.
  - 2) This certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to 23 CCR 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
  - 3) The validity of any nondenial certification action (actions 1 and 2) shall be conditioned upon total payment of the full fee required under 23 CCR 3833, unless otherwise stated in writing by the certifying agency.
- Additional Conditions: Pursuant to 23 CCR 3859(a), the applicant shall comply with the following additional conditions:
- 1) The applicant shall notify the Regional Water Board in writing at least five working days (working days are Monday – Friday) prior to the commencement of the project, with details regarding the schedule of operations, to allow staff the

opportunity to be present onsite and to answer any public inquiries that may arise regarding the project.

- 2) All conditions listed in this Water Quality Certification must be included in the Plans and Specifications prepared by the applicant for the Contractor. All conditions shall be implemented according to the submitted application and this Water Quality Certification.
- 3) A copy of this permit must be provided to the contractor and all subcontractors conducting the work, and a copy must be in their possession at the work site. It is the applicant's responsibility to ensure that the contractor and all subcontractors are provided a copy of this permit.
- 4) All work conducted prior to installation of the stream diversion and within the wetted channel shall take place between July 1 and January 15 to avoid potential impacts to migrating suckers.
- 5) Adequate Best Management Practices for sediment and turbidity control shall be implemented and in place prior to, during, and after construction in order to ensure that no silt or sediment enters surface waters.
- 6) If, at any time, an unauthorized discharge to surface waters occurs, or any water quality problem arises, the project shall cease immediately and Regional Water Board staff shall be notified promptly.
- 7) No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other organic or earthen material from any construction or associated activity of whatever nature, other than that authorized by this permit, shall be allowed to enter into or be placed where it may be washed by rainfall into waters of the State.
- 8) All materials used for cleaning concrete from tools and equipment, and any wastes generated by this activity, shall be adequately contained to prevent contact with soil and surface water, and shall be disposed of properly.

- 9) When operations are completed, any excess material or debris shall be removed from the work area and disposed of properly. No rubbish shall be deposited within 150 feet of the high water mark of any stream.
- 10) The total area of all permanent and temporary impacts to waters of the United States shall not exceed 0.842 acre.
- 11) Fueling, lubrication, maintenance, operation, storage and staging of vehicles and equipment shall be outside of waters of the United States and shall not result in a discharge or a threatened discharge to waters of the United States. At no time shall the applicant use any vehicle or equipment, which leaks any substance that may impact water quality.
- 12) Project activities shall comply with provisions in the North Coast Region Water Quality Control Plan (Basin Plan).
- 13) The project site may be visited and assessed by Regional Water Board staff to document compliance with this certification.
- 14) Visual observations for turbidity shall be conducted whenever a project activity has the potential to increase the turbidity of the Lost River. Field turbidity measurements shall be collected whenever a visible increase in turbidity is observed in order to demonstrate compliance with receiving water limitations. Whenever an increase in turbidity is observed, turbidity measurements shall be collected upstream (within 50 feet) of project activities (background) and downstream (within 100 feet) of the source of turbidity. The frequency of monitoring shall be a minimum of every two hours during periods of increased turbidity until field monitoring demonstrates compliance with receiving water limitations and turbidity levels are no longer increasing as a result of project activities.
- 15) The applicant shall take photos of the project during and after construction in order to document compliance with this Certification. Photos of the wetland area to be permanently impacted and the constructed wetland area shall be included. A report containing these photos shall be submitted within 60 days of project completion. Additional photos of the constructed wetland shall be submitted as necessary or as requested by Regional Water Board staff in order to demonstrate that wetland mitigation was successful.

- 16) The applicant shall take photos of all areas disturbed by project activities after the first rainfall event that generates visible runoff from these areas in order to demonstrate that erosion control measures have been successful. A report containing these photos shall be submitted within 60 days of the first rainfall event that generates runoff from all disturbed areas.
- 17) Visual observations for increased turbidity in the Lost River shall be conducted and recorded whenever a project activity or subsequent erosion of a disturbed area has the potential to increase turbidity. Field turbidity measurements shall be collected whenever a visible increase in turbidity is observed. Turbidity measurements shall be collected upstream (within 50 feet) of project activities and downstream (within 100 feet) of the source of turbidity. The monitoring frequency shall be a minimum of every two hours during periods of increased turbidity or until turbidity levels are no longer increasing as a result of project activities. If turbidity levels are greater than 20 percent above background levels 100 feet downstream of the project area, the distance to the downstream extent of the turbidity increase (greater than 20 percent above background) shall be determined and promptly reported to Regional Water Board staff. All recorded visual observation and all field turbidity measurements shall be submitted in a report to the Regional Water Board within 60 days of project completion.
- 18) This Order is not transferable. In the event of any change in control of ownership of land presently owned or controlled by the applicant, the applicant shall notify the successor-in-interest of the existence of this Order by letter and shall forward a copy of the letter to the Regional Water Board at the above address.

To discharge dredged or fill material under this Order, the successor-in-interest must send to the Regional Water Board Executive Officer a written request for transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, address, and telephone number of the person(s) responsible for contact with the Regional Water Board. The request must also describe any changes to the Project proposed by the successor-in-interest or confirm that the successor-in-interest intends to implement the Project as described in this Order.

**Water Quality Certification:** I hereby issue an order [23 CCR Subsection 3831(e)] certifying that any authorized discharge from the Lost River Bridge Project, (Facility No. 1A05144WNSI) will comply with the applicable provisions of sections 301 ("Effluent Limitations"), 302 ("Water Quality Related Effluent Limitations"), 303 ("Water Quality Standards and Implementation Plans"), 306 ("National Standards of Performance"), and 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act [33 USC Subsection 1341 (a)(1)], and with other applicable requirements of State law. This discharge is also regulated under State Water Resources Control Board Order No. 2003 - 0017 - DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges That Have Received State Water Quality Certification" which requires compliance with all conditions of this Water Quality Certification.

Except as may be modified by any preceding conditions, all certification actions are contingent on: a) the discharge being limited and all proposed mitigation being completed in strict compliance with the applicant's project description, and b) compliance with all applicable requirements of the Regional Water Board's Water Quality Control Plan for the North Coast Region (Basin Plan).

**Expiration:** The authorization of this certification for any dredge and fill activities expires on January 31, 2011. Conditions and monitoring requirements outlined in this certification are not subject to the expiration date outlined above, and remain in full effect and are enforceable.

Please notify Dean Prat of our staff at (707) 576-2801 prior to construction (pursuant to Additional Condition No. 1 above) so that we can answer any public inquiries about the work.

Sincerely,

Catherine Kuhlman  
Executive Officer

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Enclosure:

State Water Resources Control Board Order No. 2003-0017 - DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges That Have Received State Water Quality Certification"

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cc: Ms. Jane Hicks, U.S. Army Corps of Engineers, Regulatory Functions, 333 Market Street,  
San Francisco, CA 94599  
U.S. Army Corps of Engineers, District Engineer, P.O. Box 4863, Eureka, CA 95502